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DAVID A. O'CONNOR  
202-828-1889  
david.oconnor@hklaw.com

VIA ELECTRONIC FILING (ECFS)

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

RE: **EX PARTE PRESENTATION**  
Telecommunications Relay Services and Speech-to-Speech Services for Individuals  
with Hearing and Speech Disabilities  
CG Docket No. 03-123

Dear Ms. Dortch:

On June 2, 2008, Dixie Ziegler, Vice President of Hamilton Relay, Inc. ("Hamilton"), the undersigned counsel for Hamilton, Julie Miron of Communication Access Center for the Deaf and Hard of Hearing, Bill McClelland of URrelay, Inc., Andy May of CSDVRS, and Karen Peltz Strauss, outside counsel for CSDVRS, held two separate meetings at the Commission regarding the proposed 10-digit numbering plan for IP-based relay services. The first meeting was held with Scott Deutchman, Legal Advisor to Commissioner Copps, and Cristina Hartmann, a legal intern in Commissioner Copps' office. The second meeting was held with the following Commission staff: Cathy Seidel, Chief of the Consumer & Governmental Affairs Bureau ("CGB"), Nicole McGinnis of CGB, Thomas Chandler of CGB, Lisa Boehley of CGB, Alan Amann of CGB, Greg Hlibok of CGB, Richard Hovey of the Public Safety and Homeland Security Bureau, Nicholas Degani of the Wireline Competition Bureau ("WCB") and Heather Hendrickson of WCB.

At the meetings, Hamilton distributed a leave-behind document in substantially the form attached hereto. The attached document contains minor clarifications to reflect points made at the meetings. The following points in particular were made by Hamilton and the other represented relay providers:

1. All relay providers must ensure that IP addresses are updated in real time so that any relay user can obtain a number that can be serviced by any relay provider without consideration of the equipment being used by the relay user. Any numbering solution must also ensure that the number can be ported between relay providers as desired by the relay user, regardless of the equipment used by the relay user. Requiring a numbering solution that mandates real time updates of IP addresses allows all relay providers to be

able to service relay numbers, regardless of whether the relay provider distributes end user devices.


2. Any numbering solution must mandate that relay providers implement hardware/software solutions or perform upgrades to existing end-user equipment to allow the equipment to update the central database in real time with the end user's current IP address. Otherwise, relay providers that do not distribute end-user equipment may not be able to complete relay calls on behalf of their end users because they do not have access to the end user's current IP address. Any provider that fails to comply with this requirement should not be permitted to distribute numbers.
3. Number preservation should be a priority with respect to any numbering solution adopted. One entity securing and distributing numbers for all relay providers is the model that best achieves number preservation. There are two reasons for this. First, if one entity is not responsible for securing and distributing numbers, it would be possible for end users to go to eleven separate providers and obtain eleven 10-digit numbers, one from each provider. The cost of these excess numbers would be borne by the Interstate TRS Fund. Second, numbers are typically sold in large blocks. If eleven or more entities must each secure their own numbering resources, it is more than likely that several of these entities will not need all of the numbers that they are forced to purchase on their own. For example, a provider might have to purchase a block of 1000 numbers in a geographic area where it only needs half that amount. The waste that results will place strains on both the national numbering system and the financial resources of the Interstate TRS Fund. There is no doubt that centralizing the functions of the numbering system to the extent possible is the most cost effective approach.
4. There has been some confusion about the security of a centralized database. The database would necessarily be accessible to users who wish to place relay or point-to-point calls. This does not mean that the number information being accessed could be changed as a result of this accessibility. The numbering database would function much like the TDI Telephone Book that has existed for many years. However, end user information, including location information and other confidential information, would exist in a secure centralized database that could only be accessed by relay providers.
5. Commission staff requested further clarification as to how the ONS proposal supports other Internet-based relay calling. Under ONS, the central database needs to be a Uniform Resource Identifier ("URI") structure enabling 10-digit PSTN numbers to be mapped to an Internet addressing URI. In this structure, other types of Internet-based relay such as Instant Messaging, Web- and PC- based applications and other types of third party communication systems can be accommodated. The 10-digit PSTN acts as a pseudo-name when placing an Internet- based call, so the URI that is matched to the 10-digit number will also have to return the type of system that is trying to be reached (i.e.,

H.323, AIM, MSM, YAHOO, SIP, etc.). Then within those systems a real-time updated IP address is needed to process the connection. For example, if PSTN number "319-555-1212" is mapped to AIM name "CGBDRO," the relay provider would receive a response of AIM "CGBDRO" from the central database upon querying 319-555-1212, and the relay provider would be dependent upon AIM for maintaining the end-user's information. In a second example, "202-555-1212" is an H.323 connection with an IP address. The relay provider would query the database for 202-555-1212 and be returned H.323 as the type and the current IP address of that user end point; however, the user endpoint must keep the IP address in the database updated through a DDNS automatic updater.

This filing is made in accordance with Section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2). In the event that there are any questions concerning this matter, please contact the undersigned.

Respectfully submitted,

HOLLAND & KNIGHT LLP

A handwritten signature in black ink, appearing to read "D.A.O'Connor", written over a horizontal line.

David A. O'Connor

Enclosure  
cc: Participants

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## **HAMILTON EX PARTE**

The following are items that Hamilton believes are critical to the IP-based relay 10-digit numbering plan:

### **Numbers Must Be Usable with Any Relay Device, and Relay Providers Should Only Play A Facilitating Role in Number Distribution**

Consumers must be able to obtain a 10-digit number with the assistance of any relay provider that the consumer selects. Providers should be *facilitators* of number distribution to relay users, but should not be in control of the process. The role of relay providers is not to serve as distributors of telephone numbers or compete with the telecommunications providers who fund relay, but to fulfill the ADA obligations of those telecommunications providers to their subscribers. A neutral third party should be contracted to distribute numbers to all relay users.

If the FCC allows relay providers to control the numbering process, consumers must not be required to obtain a number solely from the provider that gave the consumer the connecting device. Numbers should not be permanently linked to one particular device, to ensure that consumers retain maximum flexibility to choose the equipment they use and the provider they use. For example, a consumer with a 10-digit number should be able to select CAC as the provider of choice and be permitted to assign that 10-digit number to a Sorenson device. Ensuring that consumers may obtain a number from any provider and be able to assign that number to any TRS-compatible device is paramount to relay interoperability and the implementation of a functionally equivalent numbering system.

Under the One Numbering VoIP System (“ONS”) plan, consumers would receive 10-digit numbers<sup>1</sup> that are tied to consumers’ IP addresses (as well as location), leaving the consumers free to decide what device they want to use with their numbers and what provider they want to use to support their IP-based relay calls from hearing individuals. For this reason, Hamilton supports the ONS proposal in this regard. Hamilton believes that these issues have not been clearly addressed in the other proposals, and it is critical that these issues be addressed in the rules ultimately adopted by the Commission. Hamilton's concern is that unless these measures are adopted, relay users may not be able to select their provider of choice or reliably port their number to another provider.

In addition, Commission rules must prohibit providers who distribute equipment from pressuring consumers in such a manner that leaves the consumer believing they have to get their number from their equipment providers. Consistent with the recent Paragraph 95/96 Marketing Order, statements to consumers such as, “Getting your number from us is required for emergency access or for better service” must be disallowed because they are simply not accurate. In addition, the Commission must ensure that the Enforcement Bureau and/or CGB are given the enforcement tools necessary to respond quickly and appropriately when these rules are not followed by providers.

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<sup>1</sup> As noted above, Hamilton does not agree that relay providers should be in the business of distributing numbers.

### **E-911 Must Be Seamless**

Hamilton favors a centralized E-911 system that supports a centralized VPC system. Any relay provider must be able to take a call from any relay user and have immediate access to the user's location on record so that an emergency call may be handled expeditiously. Currently, only the ONS proposal offers this feature, and for this reason Hamilton supports that proposal. The other proposals currently suggest a manual process or at a minimum require that several databases be accessed to locate this information, all leading to more points of failure in the system and intolerable delays in an emergency situation.

### **URI Dialing**

The numbering system adopted by the FCC must still allow for Uniform Resource Identifier ("URI") dialing, because not all equipment in use today can handle 10-digit dialing. If 10-digit numbering only is required, then thousands of users with devices such as D-Links, Net Meeting and other similar devices/software would not be able to enjoy any of the benefits associated with 10-digit dialing due to device limitations.

### **Registration and Slamming**

The new numbering system must have registration and slamming rules in place. The FCC must clearly define who the consumer is or who is able to represent the consumer. Hamilton believes that some type of verification process must be used in order to receive a number through this process as well as to verify requests for changing providers. Perhaps the same third party verification system presently used by common carriers could be employed for relay numbers too. Enforcement of relay slamming rules could be carried out in the same manner as presently employed for voice user slamming.

### **IP Addresses Must Be Kept Up to Date by Providers**

A 10-digit numbering system will be fully functional only if the FCC requires that the numbering database be kept up to date in terms of IP addresses. Each provider must be required to update IP address information as soon as a user's IP address changes. Hamilton believes that for this to occur, providers likely must implement a Dynamic Domain Name System (DDNS), which leads Hamilton to favor the ONS proposal because that plan is conducive to DDNS.

### **Point-to-Point Calls Must Be Seamless**

Point-to-point calls and calls placed to another relay provider should be seamless, meaning that a provider must not have to dip another provider's database or use the network of the provider who provided the number or equipment. Rather, relay users should have access to a centralized database to perform point-to-point calls in an anonymous manner without providers being able to have access to this information. In addition, neither the default provider's network nor the database should be necessary when a user wants to use the services of another provider. Traditional relay users have this anonymity today and it should continue forth in a new system.

(For example, Hamilton does not know when a TRS user calls another TRS user because the call does not go through the Hamilton network).

### **Hamilton Is Supportive of the ONS Plan**

As can be seen from the above, Hamilton is generally supportive of the concepts contained in the ONS plan. Hamilton believes that the ONS plan has the following benefits:

- Number preservation — rather than having 10-15 providers competing for numbers, one independent, centralized number distributor may be used
- ONS can support multiple record requests in a variety of formats (H.323, SIP, etc.)
- ONS does not require interdependency on VRS providers to ensure their databases are working correctly, because the number database would be centralized. This means that VRS users for point-to-point calls do not have to rely on any VRS provider to ensure that they can place point-to-point calls.
- Number delivery is not associated with equipment. Consumers can choose freely what relay provider they want and what equipment they want to use without any relationship between the two decisions.
- Over time, a centralized system likely will preserve Interstate TRS Fund resources, since building only one system ensures consistency, eliminates failure points, and ensures that the best security practices are implemented and maintained. A centralized database also offers the benefit of familiarity to users and uniform verification and registration processes. Having 10-15 different verification and registration systems may lead to consumer confusion.
- Under ONS, a centralized E-911 system allows any relay provider to process any relay user's emergency calls. All other systems require other systems and databases to be accessed, wasting precious time in an emergency situation.
- The ONS implementation time frame is reasonable, with minimal interface development for providers (and thus more cost savings for the Interstate TRS Fund).
- Interoperability is maintained and even enhanced, since all providers are on equal footing in terms of accessing one central database.
- A neutral third party would be selected by the FCC to act as the operator of ONS. Certainly through this process, several companies have already been identified as able to fulfill this neutral requirement. CSDVRS has indicated it stands to gain nothing monetarily as a result of ONS adoption, and that it will not have any control or ownership of this system. CSDVRS has made clear that it does not want to be ONS.

- Consumer groups have indicated that they want a “dial tone” experience when using relay.<sup>2</sup> Consumer groups also indicate that the intent of relay is “to make a call . . . nothing else.”<sup>3</sup> Out of all the numbering proposals, Hamilton believes that ONS aligns itself best with that philosophy, because it takes relay providers out of the numbering business.
- Consumers do not want their information used by providers for a variety of reasons. Only ONS achieves this goal.
- ONS is based on DNS, which ensures that IP addresses are matched to telephone numbers at all times. Other proposals do not do this.
- Finally, ONS is a turnkey solution. It provides the numbering resources, seamless E-911, a VoIP network, and the protection mechanisms that consumer groups have requested.

### **Other Providers Have Misinterpreted the Intent of ONS**

Hamilton believes that other providers have misinterpreted the intent of ONS.

For example, one provider suggests that the ONS proposal differs from the existing telecommunications infrastructure. Hamilton disagrees. ONS essentially makes use of the VoIP infrastructure. The difference is that one existing telecommunications infrastructure is used rather than 10 to 15 or more redundant infrastructures. This way of using the telecommunications network (taking the best of what already exists and applying it to relay) is not foreign to the relay industry or relay users. Time and again, relay technology and the telecommunications infrastructure have been adjusted to ensure that relay services are accessible to all. Indeed, that is the very origin of relay — a need to ensure accessible communication for all.

Others have suggested that ONS requires hardware and/or software modifications. While this is true, it is also true for all of the proposals. Every numbering proposal needs to ensure that IP addresses are automatically updated. Most routers have this capability today. If not, hardware/software may be needed to ensure the current IP address is updated to match the telephone number, no matter what type of database system is used. Users will not receive calls, either from a relay provider or from point-to-point callers, unless their current IP address remains tied to their telephone number. Another reason that Hamilton supports the ONS proposal is that the ONS operator can be the entity which distributes any necessary modifications to end user equipment rather than each provider distributing their own modifications.

Some have suggested that ONS will be difficult to implement. Hamilton disagrees, because it will be far quicker and easier to build one database of numbers rather than 10 to 15 databases. Moreover, a centralized database ensures compatibility, which is far from guaranteed

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<sup>2</sup> Telecommunications for the Deaf and Hard of Hearing, Inc. Ex Parte (Point 1), CG Docket No. 03-123 (filed May 21, 2008) (in comments regarding consumer marketing, consumer groups DHHCAN, TDI and NAD reaffirmed request for a “dial tone” experience in making and taking relay calls.”).

<sup>3</sup> *Id.* (Point 4).

with multiple databases. Certainly one entity securing E-911 equipment and software, trunking, numbers, and all the other necessary components will be accomplished much faster than multiple providers doing so.

### Security Issues

All systems used today have the ability to be open systems. There are multiple user databases open today. The ONS proposal does not change anything from today's environment except reduce the number of systems that may be compromised because it proposes one centralized system. Even under the other proposals, databases will remain open to those who have registered with the provider of that database, leaving numerous databases open and subject to potential security breaches.

In addition, there is a distinction to be made between the ONS *location* database and the ONS *numbering* database. The ONS location database will be a closed system, protected and accessible only by providers. This ensures that the numbering database is accessible but that consumer privacy is maintained.

### Integration with Existing and Future 911 Systems

Others have suggested that the ONS plan has not fully considered integration with existing and future 911 systems. Hamilton disagrees. ONS is based on VoIP processes. ONS will use the VPC model just as VoIP companies are doing today. Using VoIP systems will allow ONS to evolve as Next Generation 911 services are deployed, along with voice VoIP systems.

### Input from Other Providers

Some have suggested that ONS is a "take it or leave it" approach that is tailor-made for CSDVRS and has received no input from other providers. To the contrary, CSDVRS has taken input from Hamilton and others. CSDVRS has stated clearly that it does not want to be the ONS designated entity. A neutral third party will be selected to operate ONS. CSDVRS gains nothing from its proposal since the entity that will be ONS is not known at this point in time.